



2025:UHC:10286-DB

IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

THE HON'BLE THE CHIEF JUSTICE SRI G. NARENDAR
AND
THE HON'BLE SRI JUSTICE SUBHASH UPADHYAY

SPECIAL APPEAL NO. 340 OF 2025

19TH NOVEMBER, 2025

Anmol and others Appellants

Versus

State of Uttarakhand & another Respondents

Counsel for the appellants : Mr. Arvind Vashistha, learned Senior Counsel assisted by Mr. Siddhant Tiwari, learned counsel

Counsel for the respondents : Mr. C.S. Rawat, learned Chief Standing Counsel along with Mr. S.S. Chaudhary & Mr. Gajendra Tripathi, learned Standing Counsels and Ms. Rajni Supyal Latwal, learned Brief Holder for the State

: Mr. Pankaj Miglani, learned counsel for UKPSC through video conferencing

: Mr. Vinay Kumar, Mr. Shobhit Saharia and Mr. Shubhang Dobhal, learned counsels for interveners

The Court made the following:

JUDGMENT: (per Hon'ble The Chief Justice Sri G. Narendar)

1) We have heard the learned Senior Counsel Mr. Arvind Vashistha assisted by Mr. Siddhant Tiwari, learned counsel for the appellants, the learned counsel for the Uttarakhand Public Services Commission Mr. Pankaj



Miglani, and the learned counsels for the interveners Mr. Shobhit Saharia, Mr. Vinay Kumar & Mr. Shubhang Dobhal.

2) The short question that arises for consideration in the instant appeal is whether the question of equivalence of degrees can be gone into by the Court, or by a mechanism devised by the Court, or court appointed committees.

3) The issue is no more *res integra*. The Hon'ble Apex Court, on multiple occasions, has held and reiterated that the issue of equivalence of degrees is in the exclusive domain of the State. That apart, this Court while disposing of similar issues has directed the resolution of the issue of equivalence of the degrees by the permanent committee constituted by the State. In that view, the direction in Para 9 of the impugned judgment, in our considered opinion, is unsustainable. The law in this regard having been settled, and a co-ordinate bench of this Court having further held that even the selection authority does not have the competence to decide the issue of equivalence of degrees, the order under challenge requires modification insofar as it relates to a direction to the Secretary, Urban Development Department to



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constitute a committee to decide the vexed issue of equivalence. Accordingly, the said direction is set aside.

4) A direction is issued to respondent Nos. 1 and 2 to refer the issue to the permanent committee constituted by the State.

5) The second respondent shall forward the papers to the permanent committee within ten days from the date of receipt of this order, and the records shall be scrutinized by the permanent committee and a ruling be given on the issue of equivalence within four weeks thereafter.

6) The appeal is disposed of on the above terms.

G. NARENDAR, C.J.

SUBHASH UPADHYAY, J.

Dt: 19TH NOVEMBER, 2025
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